

REMARKS

Upon entry of this amendment, claims 1-7, 10, 12-17 and 21 are all the claims pending in the application. Claims 8, 9 and 18-20 have been canceled by this amendment without prejudice or disclaimer to the subject matter recited therein.

I. Claim Rejections under 35 U.S.C. § 103(a)

A. Claims 1, 10 and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujinami et al. (US 5,568,274) in view of Hashimoto et al. (JP 05-110575).

Claim 1, as amended, recites the feature of a data formatter operable to (i) output, when the sequence of input code is judged not to be a part of the packet start code but to be a part of a particular sequence of coded data, said part of the particular sequence of coded data in accordance with the matching status information output by said matching status information outputter, and (ii) not to output, when the sequence of input code is judged to be a part of the packet start code, said part of the packet start code.

Applicants respectfully submit that Fujinami and Hashimoto do not disclose or suggest the above-noted feature for at least the following reasons.

With respect to the above-noted language recited in claim 1, Applicants note that in the Response to Arguments section of the Office Action, it is indicated that the “Examiner believes that an explicit claim recitation of the nature of the predetermined data could overcome the cited prior art rejection” (see Office Action at page 2). In this regard, Applicants note that by the present amendment, claim 1 has been amended so as to provide an explicit recitation of the

nature of the predetermined data, as suggested by the Examiner, and respectfully submit that Fujinami and Hashimoto do not disclose or suggest such a feature.

For example, with respect to Fujinami, Applicants note that this reference discloses a separation circuit 21 which includes a header separation circuit 22, a switching circuit 23 and a control circuit 24 (see Fig. 12). The header separation circuit 22 separates the pack headers, packet headers and entry packets from a signal read out from the DSM 10 and supplies them to the control circuit 24 (see Fig. 12 and col. 15, lines 13-16).

As disclosed in Fujinami, the remaining time-division multiplexed signal is supplied to the input terminal G of the switching circuit 23, and the control circuit 24 causes the switching circuit 23 to connect the input terminal G successively to output terminals H1 and H2 in accordance with a stream ID of the packet header received from the header separation circuit 22 (see col. 15, lines 16-18 and 29-33).

Based on the foregoing description of Fujinami, Applicants note that while Fujinami discloses the use of a header separation circuit 22 that outputs pack headers, packet headers and entry packets to the control circuit 24, that Fujinami does not disclose or suggest the use of a data formatter that is operable to (i) output, when a sequence of input code is judged not to be a part of a packet start code but to be a part of a particular sequence of coded data, said part of the particular sequence of coded data in accordance with matching status information output by a matching status information outputter, and (ii) not to output, when the sequence of input code is judged to be a part of the packet start code, said part of the packet start code. Further, Applicants respectfully submit that Hashimoto does not cure the above-noted deficiency of Fujinami.

In view of the foregoing, Applicants respectfully submit that the cited prior art references do not teach or suggest at least the above-noted feature recited in amended claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

In addition, Applicants note that claim 1, as amended herein, recites the combination of a matching status information outputter operable to detect whether a sequence of input code is a part of the packet start code, and to output the detection result as matching status information; and a data formatter operable to (i) output, when the sequence of input code is judged not to be a part of the packet start code but to be a part of a particular sequence of coded data, said part of the particular sequence of coded data in accordance with the matching status information output by said matching status information outputter. Applicants respectfully submit that Fujinami and Hashimoto do not teach or suggest such a combination of features.

With respect to the above-noted claim language, Applicants note that the Examiner has taken the position in the Office Action that the header separation circuit 22 of Fujinami corresponds to both of the claimed “matching status information outputter” and “data formatter”. In this regard, in the Response to Arguments section of the Office Action, the Examiner has indicated that it is proper to take the position that the header separation circuit 22 of Fujinami corresponds to both of the above-noted claimed features because in “modern design, it is normally considered beneficial for an element to provide multiple functions, and a device that outputs data providing a formatting function for that data output is to be expected by one of ordinary skill in the art” (see Office Action at page 2).

Regarding the Examiner's above-noted position, Applicant respectfully submit that while a single element may indeed be able to provide multiple functions, that the header separation circuit 22 is not capable of performing both of the above-noted functions of the claimed "matching status information outputter" and "data formatter".

In particular, with respect to the header separation circuit 22 of Fujinami, Applicants note that the Examiner has taken the position in the Office Action that the information which is output by the header separation circuit 22 corresponds to the claimed "matching status information" (see Fig. 12 of Fujinami and page 4 of the Office Action). In this regard, however, Applicants point out that claim 1 indicates that the "data formatter" outputs a part of a particular sequence of coded data in accordance with the matching status information output by the matching status information outputter.

Thus, as is evident from the above-noted description, because the output of the claimed "data formatter" is based on the output of the claimed "matching status information outputter", it is clear that the header separation circuit 22 of Fujinami cannot perform both of the functions of the claimed "matching status information outputter" and the "data formatter".

In other words, Applicants note that because the information that is output from the header separation circuit 22 (which the Examiner has indicated corresponds to the claimed "matching status information") is output to the control circuit 24 of Fujinami, and is not somehow output back to the header separation circuit 22, it is clear that the header separation circuit 22 cannot also correspond to the claimed "data formatter", which outputs data "in

accordance with the matching status information output by said matching status information outputter”.

In view of the foregoing, Applicants respectfully submit that Fujinami does not disclose or suggest the above-noted combination of features recited in claim 1. Further, Applicants respectfully submit that Hashimoto does not cure this deficiency of Fujinami. Accordingly, Applicants submit that claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

If the Examiner maintains the current grounds of rejection of claim 1, Applicants kindly request that the Examiner specifically identify the elements of Fujinami that allegedly correspond to the claimed (i) “matching status information outputter”, (ii) “matching status information”, and (iii) “data formatter” so that Applicants are able to make an informed decision with regard to appeal.

Lastly, Applicants note that in the Response to Arguments section of the Office Action, the Examiner has also indicated therein that the claimed phrase “packet start code” has been broadly interpreted (see Office Action at page 3). In view of the broad interpretation being taken by the Examiner, Applicants note that claim 1 has been amended so as to clarify that the “packet start code” is composed of fixed data. As such, Applicants respectfully submit that the claimed packet start code cannot be interpreted as corresponding to a variable value such as the stream ID value shown in Fig. 4 of Fujinami.

In view of all of the foregoing reasons, Applicants respectfully submit that the cited prior art references do not teach, suggest or otherwise render obvious all of the features recited in

amended claim 1. Accordingly, Applicants submit that amended claim 1 is patentable over the cited prior art, an indication of which is kindly requested. Claims 10 and 21 depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

B. Claims 5 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujinami et al. (US 5,568,274) in view of Hashimoto et al. (JP 05-110575), and further in view of Toyohara (US 5,768,265).

Claims 5 and 15 depend from claim 1. Applicants submit that Toyohara fails to cure the deficiencies of Fujinami et al. and Hashimoto, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claims 5 and 15 are patentable at least by virtue of their dependency.

C. Claims 8, 9 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujinami et al. (US 5,568,274) in view of Yanagihara et al. (US 6,172,989), and further in view of Movshovich et al. (US 6,359,911). As noted above, claims 8, 9 and 18 have been canceled by this amendment without prejudice or disclaimer.

II. Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 2-4, 6, 7, 12-14, 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975.

Respectfully submitted,

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